UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ROBERT SCHLATTMANN,))
Plaintiff,)
vs.) Case No. 4:16cv1183 SNLJ
PORTFOLIO RECOVERY ASSOCIATES, LLC,)))
Defendant.	<i>)</i>)

MEMORANDUM AND ORDER

On June 13, 2017, this Court ordered non-party Matthew Anthony to show cause before this Court why an order should not be issued pursuant to Federal Rules of Civil Procedure 45 and 37 finding Mr. Anthony in contempt of Court, awarding plaintiff his costs and attorneys' fees, and issuing a writ of body attachment. Mr. Anthony had been served with a subpoena commanding him to appear at a deposition on June 9, 2017. Mr. Anthony did not appear at the deposition. Further, he did not respond to this Court's June 13, 2017 Order to Show Cause. On August 22, 2017, this Court ordered that Mr. Anthony show cause in writing no later than September 7, 2017 why he should not be held in contempt. That order was served by the U.S. Marshal Service.

The Court understands that Mr. Anthony may have provided plaintiff's counsel with the affidavit plaintiff sought. However, Mr. Anthony did not show cause in writing to this Court why he should not be held in contempt.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's counsel shall file a report to the Court advising as to the status of Mr. Anthony's compliance and whether counsel wishes to withdraw the motion by October 16, 2017.

Dated this 6th day of October, 2017.

STEPHEN N. LIMBAUGH, JR.

UNITED STATES DISTRICT JUDGE